IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.34913 of 2008
AKHILESH KUMAR
Son of Shri Ramchand Sao,
resident of village- Nagwan,
P.S.- Ghosi, District- Jahanabad
Versus
THE STATE OF BIHAR
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2 **17.11.2008** Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case registered for the offences under sections 498A of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the present complaint has been filed for ulterior purposes in retaliation of the matrimonial case filed by the petitioner for restitution of the conjugal rights. It is further submitted that in the written statement filed in the said matrimonial case the complainant has specifically stated that the petitioner was alleged a man of unsound mind at the time of marriage. Besides the above, it is submitted that the allegations levelled are vague.

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Learned Addl. P.P. appearing for the State opposes the prayer for bail, however, he is not in position to refute the submission of the petitioner with respect to the allegation of complainant made in her written statement.

Having considered the submissions, as noticed above, and in the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner, namely, Akhilesh Kumar be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Jahanabad, in connection with Complaint Case No. 261 of 2007 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

Manish/- **(Shailesh Kumar Sinha,J.)**

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